IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5968 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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KARNAIL SINGH GHUMAN

Versus

STATE OF GUJARAT

Appearance:

MR IS SUPEHIA for Petitioners.

Mr.L.R.Pujari, ASSTT. GOVERNMENT PLEADER for Respondents.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 20/06/2002

ORAL JUDGEMENT

Heard the learned counsel for the parties. This petition has been filed for quashing and setting aside the order dated 11.9.1987 in so far as it relates to the police constables working in SRP group-IX and for a direction to exclude constables of SRP group-IX

from the applicability of Gujarat Government Servants (Lower Standard and Higher Standard Gujarati Language Examination) Rules, 1970 as also the Hindi examination prescribed by Government Resolution dated 20.9.1967. Vide interim order dated 17.11.1987 of this Court, the petitioners were directed to appear at every Gujarati examination till they passed. The learned counsel for the petitioners states that the petitioners have appeared in the examination and they have passed the examination. Accordingly, they have also been given increments which were not released by the impugned order dated 11.9.1987. As such, this petition has become infructuous in view of the fact that the petitioners have appeared in the examination and they have also passed the relevant examination and the increments which were withheld have been released to them.

2. In view of this fact, this petition has become infructuous and is disposed of as having become infructuous. If the statement of the learned counsel for the petitioners is correct, then no further recovery of the amount already paid as increment shall be made. Rule is made absolute to the aforesaid extent with no order as to costs.

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